

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:16-CR-106-D

No. 7:19-CV-122-D

FRANCISCO DAMIAN TORRES-VICTORIA,)

Petitioner)

v.)

UNITED STATES OF AMERICA,)

Respondent.)

ORDER

For the reasons stated in the respondent's memorandum in support of its motion to dismiss [D.E. 114], the court GRANTS respondent's motion to dismiss [D.E. 113], DISMISSES petitioner's motion to vacate [D.E. 105], and DENIES a certificate of appealability. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

SO ORDERED. This 25 day of October, 2021.


JAMES C. DEVER III
United States District Judge